

City of Arkadelphia
Board of Zoning Adjustment and
Planning Commission Meeting
August 12 at 5:30 p.m.
City Hall Boardroom, 700 Clay Street
Arkadelphia, Arkansas 71923

AGENDA

1. Call the Board of Zoning Adjustment to order.
2. Staff Report for Mitchell Funeral Homes
3. Public Hearing to consider a request by Jodie Mitchell, Jacqueline Mitchell, Craig Battle and Georgina Battle to allow the alteration of a non-conforming use / non-conforming building
4. Adjourn Board of Zoning Adjustment
5. Call the Planning Commission to order.
6. Consider the July 8, 2021 Planning Commission minutes.
7. Staff Report for Mitchell Funeral Homes
8. Consider Mitchell Funeral Homes' request to install a ground mounted sign at 1809 Caddo in a Multi-Family Residential District (R-3)
9. Staff Report on Ouachita Properties Development Company, LLC's request for rezoning.
10. Public hearing to consider the rezoning of 346 N 10th Street from Multi-Family Residential District (R-3) to Educational District (E-1).
11. Building Department Report, DeAnna Graves
12. Other business
13. Adjourn Planning Commission



Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 77923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

Date: August 4, 2021
To: Planning Commission
Cc: Gary Brinkley, City Manager; City Board of Directors; and Ed McCorkle, City Attorney
From: DeAnna Graves, Building Department Manager *dg*
Re: Consider Jodie Mitchell, Jacqueline Mitchell Craig and Georgina Battle's request for a special permit for signage at 1809 Caddo Street

Jodie Mitchell, Jacqueline Mitchell Craig and Georgina Battle, owners of Mitchell Funeral Home, are requesting a special permit to install a ground mounted sign in a Residential Zoning District (R-3).

As submitted, the sign will meet the minimum of 10-foot setback requirement. The proposed sign display area will be 5' wide and 3' high totaling twelve (15) square feet. The total height including the base will be 66 inches.

Land Use Ordinance B-425, Art. 5-12, *Sign Regulations*

Section L. Signs Permitted in Residential Districts including the Residential Redevelopment District

2. Signs larger than two (2) square feet but not larger than thirty-two (32) square feet may be permitted by special permit from the Planning Commission for apartment buildings, schools, churches, hospitals, parks, farms and other special uses approved for the zoning district. Such signs shall indicate nothing other than the name and/or address of the premises and name of the management except that church signs may include information concerning services and other information related to their ministry.

Staff recommends approving the special permit request as submitted.

Caddo Street

Walkway

Sign



Porch

Building

Sign 3ft high x 5ft long

5'

3'



Brick 6ft L X 18in H



REGULAR CALLED MEETING
PLANNING COMMISSION/BOARD OF ZONING ADJUSTMENT
Board Room July 8, 2021 5:30 P.M.

MEMBERS:

Diedra Middleton
Llewellyn Terry
Bill Phelps
Lawrence Phillips
Tom Tobin
Gracie Neal
Terry Roberts

OTHERS:

Gary Brinkley, *City Manager*
Samantha Roybal, *City Clerk*
DeAnna Graves, *Building Dept. Manager*

CALL TO ORDER

The Chairman called the meeting to order at 5:31 p.m.

CONSIDER WAL-MART'S VARIANCE REQUEST

Wal-Mart is requesting to reduce the current parking spaces from 744 to 705. The reduction of the 39 parking spaces will allow expansion of the building to accommodate the new grocery pickup area to the north of the existing building.

A motion was made by Bill Phelps, seconded by Lawrence Phillips to approve Wal-Mart's variance request as submitted.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

CONSIDER HAMNER'S SIGNAGE VARIANCE REQUEST

Hamner Properties Family Limited Partnership is requesting variances to install signage on the South wall of the building and to exceed the permitted signage footage and the permitted height on a pole sign at 106 W P Malone Drive.

A motion was made by Llewellyn Terry, seconded by Bill Phelps to approve Hamner Properties Family Limited Partnership's variance as submitted.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

**APPROVAL OF PLANNING COMMISSION/BOARD OF ZONING
ADJUSTMENT MINUTES FROM JUNE 10, 2021**

A motion was made by Lawrence Phillips seconded by Gracie Neal to approve the minutes from the June 10, 2021, Planning Commission meeting.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

PUBLIC HEARING TO REZONE 223 N. 5th STREET 5:53-5:59 P.M.

Ouachita Baptist University is requesting to rezone property they own from Residential Use District (R-1) to Educational District (E-1). Ouachita Baptist University wishes to rezone this property to Educational District (E-1) to meet their higher educational needs by utilizing the property as an Academic Nursing Center.

Keldon Henley, representing Ouachita Baptist University, spoke on behalf of the request. He stated that no changes would be made and they would only add on to the building to preserve the residential look.

Dannie Morrison and Caryl Linton, are residents of Arkadelphia and live near 223 N. 5 Street and they asked how the rezoning would affect their properties. Keldon Henley assured them that no big changes would be made other than expanding the current building.

A motion was made by Gracie Neal seconded by Bill Phelps to allow Ouachita Baptist University to rezone property they own from Residential Use District (R-1) to Educational District (E-1)

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

**CONSIDER DETERMINING RESTRICTIONS & REGULATIONS FOR 223 N.
5TH STREET**

Ouachita Baptist University (OBU) proposes to convert and expand their property known as the Hammond's House to an Academic Nursing Center at 223 N. 5th Street. OBU is ready to move forward with the construction and is requesting a review of the proposed expansion for zoning regulation purposes and approval. In the Educational District, all area regulations, yard requirements, off-street parking and loading

requirements, screening requirements, and other necessary restrictions will be determined by the Planning Commission.

A motion was made by Terry Roberts, seconded by Llewellyn Terry to approve the Ouachita Baptist University's proposal to convert and expand their property as submitted known as the Hammond's house to an Academic Nursing Center.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

PUBLIC HEARING TO REZONE PROPERTY IN HARDY & BARKMAN ADDITION

Ouachita Properties Development Company, LLC wishes to rezone property they own from Multi-Family Residential District (R-3) to Educational District (E-1). The general location of this property is on the north side of Hickory Street between 8th and 10th Streets and more accurately described as all of Blocks 3, 4, 9 & 10, The South 47 feet of Block 15, the South 47 feet of the East 90 feet of Block 16, a part of a closed street known as McMillan in the Hardy and Barkman's Addition and 803 & 823 Hickory Street of Browning's Survey. Ouachita Properties Development Company, LLC wishes to rezone this property to meet its higher educational needs by utilizing the property as Student Housing.

A motion was made by Terry Roberts, seconded by Bill Phelps to rezone Ouachita Properties Development Company, LLC property located in Hardy and Barkman's Addition as described in the attached legal description from Multi-Family Residential District (R-3) to Educational District (E-1).

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Aye"		

ADJOURNMENT

There being no further business to discuss, Diedra Middleton made the motion, seconded by Llewellyn Terry to adjourn. **The motion passed unanimously, and the meeting adjourned at 6:15 p.m.**

Tom Tobin, Chairman

Samantha Roybal, Recorder

ADDITIONAL ATTENDEES

Chris Hampton
Jody Ebert
Ron Addington
David Lazenby
Dannie Morrison
Carly Linton
Keldon Henley
Gary Brinkley



Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 77923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

Date: August 4, 2021
To: Board of Zoning Adjustment
Cc: Gary Brinkley, City Manager; City Board of Directors; and Ed McCorkle, City Attorney
From: DeAnna Graves, Building Department Manager *dg*
Re: Jodie Mitchell, Jaqueline Mitchell Craig and Georgina Battle request a variance to alter a non-conforming use / non-conforming building at 1809 Caddo Street.

Jodie Mitchell, Jaqueline Mitchell Craig and Georgina Battle, owners of Mitchell Funeral Home, are requesting to remove the existing covered walkway and install a gable roof entrance facing Caddo Street at 1809 Caddo Street.

Under Article 6-1. Non-conforming Buildings and Structures - A non-conforming building or structure existing at the time of adoption of this ordinance may be continued, maintained and repaired, except as otherwise provided in this section.

A. Alteration or Enlargement of Buildings and Structures

A non-conforming building or structure shall not be added to or enlarged in any manner unless said building or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located; provided, however, that if a building or structure is conforming as to use, but non-conforming as to yards or height, or off-street parking space, said building or structure may be enlarged or added to provided that the enlargement or addition complies with yard and height and off-street parking requirements of the district in which said building or structure is located.

Mitchell Funeral Home building is a non-conforming structure and non-conforming use.

As required, a legal notice was published in The Southern Standard on July 29, 2021. The adjacent property owners were notified by certified return receipt mail. The Building Department received one call inquiring to the letter and had no objections.

Land Use Ordinance B-425, Art. 7-4, *Variance*

- A. The Board shall hear requests for variance from the literal provisions of the zoning ordinance in instances where strict compliance to the provision of the ordinance would cause undue hardship due to the circumstances unique to the individual property under consideration.
- B. The Board may grant variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the zoning ordinance.
- C. The Board shall not permit as a variance any use in a zone that is not permitted under this ordinance.
- D. The Board may impose conditions in the granting of the variance to insure compliance and to protect adjacent property.

Staff recommends approving the variance request as submitted.

CITY OF ARKADELPHIA
APPLICATION FOR HEARING

TO THE ARKADELPHIA BOARD OF ZONING ADJUSTMENT:

Application is hereby made to the Arkadelphia Board of Zoning Adjustment pursuant to the Arkansas laws, Act of 186 of 1957, Acts of Arkansas, as amended, requesting a hearing related to the following described property:

- 1) Please attach legal description: Arkadelphia Real Estate Lots 3 & 4
- 2) Street address or approximation thereof: 1809 Caddo Street
- 3) Title of this property is vested in Jodie Mitchell, Jacqueline Mitchell Craig and Georgina Battles

Address: 1809 Caddo Street, Arkadelphia, AR 71923

There are no deed restrictions pertaining to the variance or appeal requested herein. Any restrictions are

described _____

- 4) The hearing is requested for the following reason:

- () Appeal from a decision of the City Engineer concerning his interpretation of the zoning regulations.

Explain: _____

Zoning Article # _____

- (X) Request for a variance from the zoning regulations due to unique characteristics of the property.

Explain: Request to make an alteration to a non-conforming use / non-conforming building to replace an existing covered walkway facing Caddo Street with a smaller gable porch entrance.

Zoning Article # 14.04.06.A

- 5) A map of the subject property is enclosed herewith as a means of illustrating the problem of concern. Where applicable, the map shows (1) the approximate dimensions of property lines and adjoining rights-of-way, (2) approximate outline location of buildings with appropriate dimensions, and (3) land uses and owners' names of adjacent properties.
- 6) It is understood that the Notice of Public Hearing will be published at least 7 days prior to said hearing in a newspaper of general circulation in the City. A publication fee of fifty dollars (\$50.00) and a filing fee of five dollars (\$5.00) will be paid to the Building Department. Total fees \$55.00.

\$55.00 received on 7/22/21
Receipt # 8665

Check # 14888
Rec'd by: Dana Graves

- 8) It is understood by the applicant that the Board of Zoning Adjustment may request that additional notice of said public hearing be given to certain interested persons and organizations.
- 9) Submit original with attachments to the City Engineer at least **ten working days prior to hearing date**. Use Additional sheets if above spaces are inadequate.
- 10) Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief, it is true, correct and complete.

Respectfully submitted,

Signature of applicant George OBell

Address 118 Leewood Dr. Arkadelphia, AR 71923

Telephone (870) 403-2055

Signature of applicant Curt Mitchell May

Address 303 North Park Dr. Arkadelphia, AR 71923

Telephone (870) 246-7438

Signature of applicant Forlie M. Mitchell

Address 2504 Country Club Rd. Apt #16 Arkadelphia, AR 71923

Telephone (870) 403-3343

Signature of applicant _____

Address _____

Telephone () _____

(Do not write below this line)

CITY OFFICIAL:

Date 7/21/21

Filing Date 7/22/21

Are all ten points of application in order? yes

Required number of copies mailed? yes

Time and date of public hearing 5:30 pm 8/12/2021

Notice published (newspaper and date) The Southern Standard 7/29/2021

Copy attached? _____

Application approved by the Board of Zoning Adjustment? _____

Date: _____ Reasons: _____

Board's action was () was not () appealed to a court of record:

Date appealed _____

Court of record action on appeal _____

Signature of City Official _____

Date _____

ALL FAITH OUTREACH MINISTRY INC 1901

BUCKLEY, JOSEPH 121

RAZA 103

COLEMAN, LUCILLE & DAVID 1

JONES, MARY 1

HALE, PAUL F 802

HALE, PAUL 802

LAMBERT, TOMIA & NAZIAY

CASIN, MARILYN 105

CHRIST OF GOD

ZAMBRANA, TAMMY & ESTER 10

WHITE, ROBERT 10

WHITE, ROBERT 10

WHITE, ROBERT 10

ALLEN, MARILYN 10

Caddo St

Clinton St

S 19th St

N 18th St

1881

1820

1816

1802

1803

1807

1801

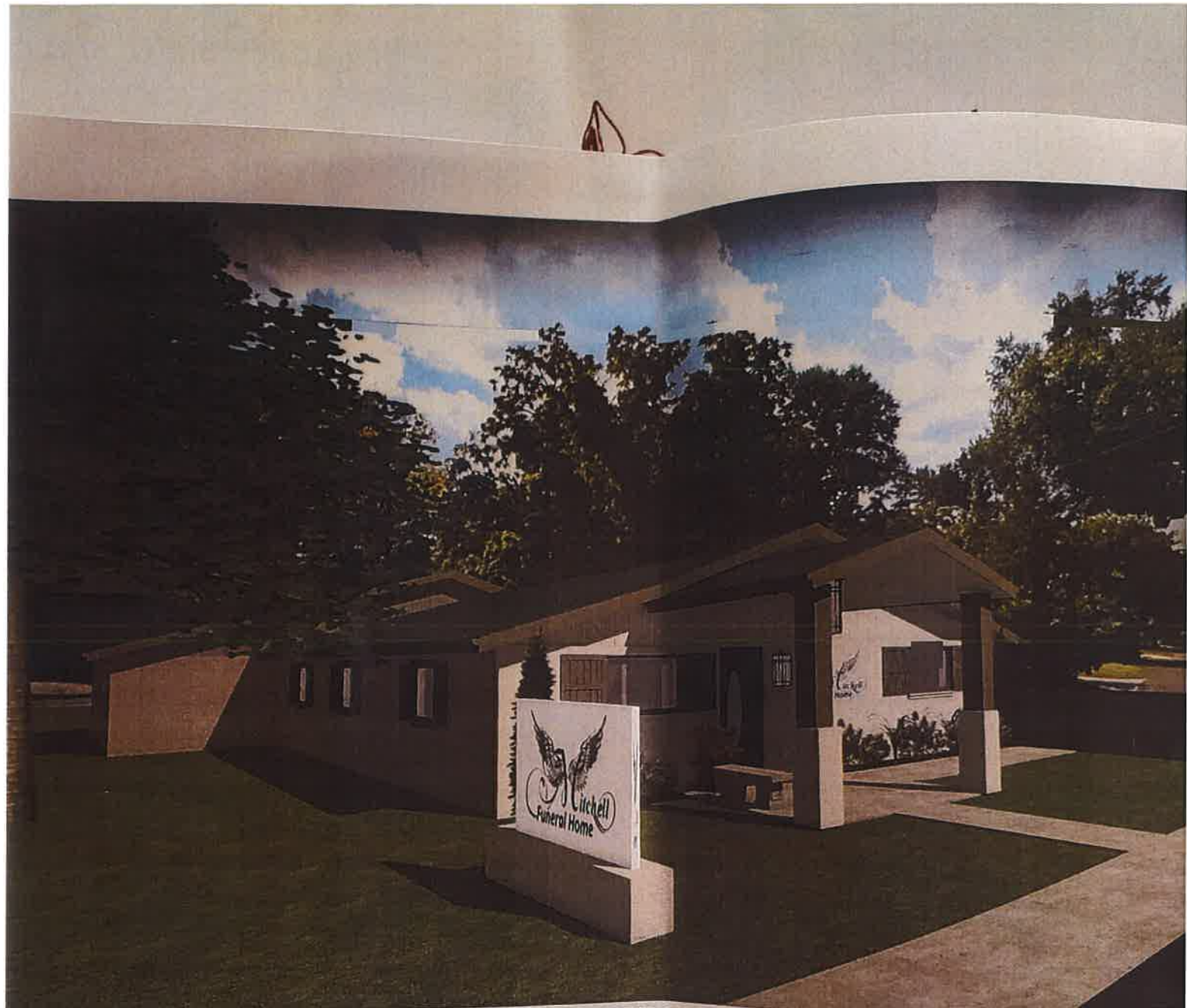
Clinton St

Clinton St


45 47613

N 16th St

~~N 104~~



MITCHELL FUNERAL HOME REMODEL

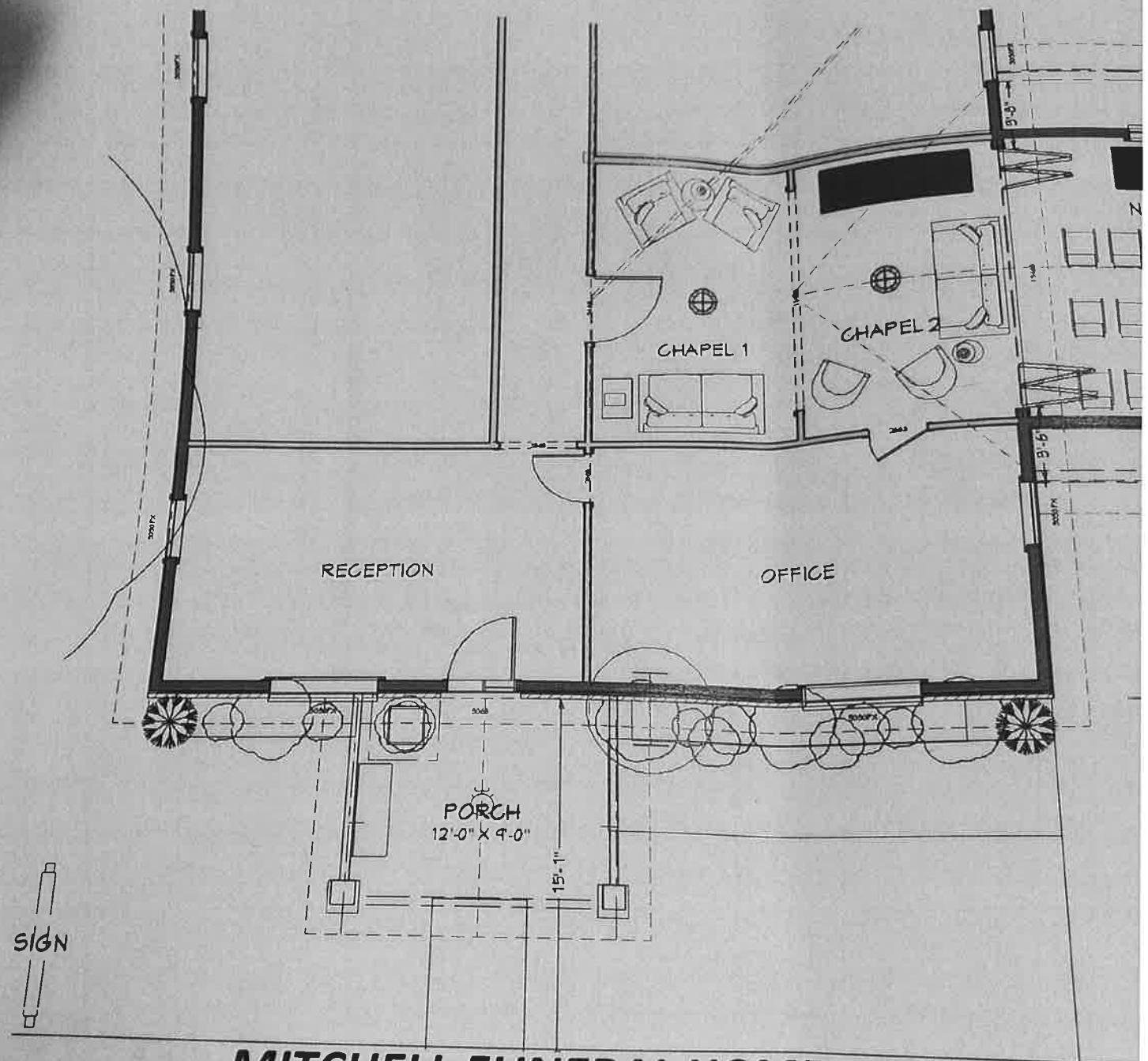
SANDY  SUTTON

Dwell . Well


ot Springs, AR 71913 | (501) 624 6700

Page 5

Drawings and Ren



MITCHELL FUNERAL HOME REMODEL -

SANDY  SUTTON

Dwell . Well

Item 9. (3) Land uses and owners' names for all lands abutting the boundaries of the subject property

Property Address	Land Use	Owner's Name	Owner's Address
103 S 19 th Street	Two-Family	Raza Properties of Clark County	1 Harvest Ridge Road Arkadelphia, AR 71923
109 S 19 th Street Parcel # 74-00115-000	Res Vacant	Joseph Buckley c/o Shirley Buckley Lester	195 Barrington Road Bloomfield Hills, MI 48302
1822 Clinton Street	Res Vacant	Lovie Brim Geraldine Brim	715 Millcreek Road Arkadelphia, AR 71923
1820 Clinton Street	Res Impr	Geraldine Luster Jeffery Luster	715 Millcreek Road Arkadelphia, AR 71923
1806 Caddo Street	Single Family	Mary Jones c/o Paul Hale	1802 Caddo Street Arkadelphia, AR 71923
1808 Caddo Street	Single Family	Lucille Coleman David Coleman c/o Annie S Perry	201 S Clark Street Ashdown, AR 71822
1900 Caddo Street	Single Family	Marilyn Allen c/o Margaret Pashal	6201 E Lake Mead Blvd Apt 263 Las Vegas, NV 89156



Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 77923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

July 22, 2021

Raza Properties of Clark County LLC
1 Harvest Ridge Road
Arkadelphia, AR 71923

Dear Resident:

This letter is to notify you that Jodie Mitchell, Jacqueline Mitchell Craig and Georgina Battle, neighboring property owners, have requested a variance to make an alteration to a non-conforming use / non-conforming building in a Multi-Family Residential District (R-3) by removing the existing covered walkway facing Caddo Street and constructing a smaller gable entrance to Mitchell Funeral Home at 1809 Caddo Street.

Additionally, they are requesting the Planning Commission to allow a special permit to install a ground mounted sign in a Residential District at 1809 Caddo Street.

This property is adjacent to the property you own at 103 S 19th Street.

LEGAL NOTICE

The Board of Zoning Adjustment will hold a public hearing on August 12, 2021 at 5:30 p.m. in the City Hall Boardroom at 700 Clay Street, Arkadelphia, Arkansas to consider Jodie Mitchell, Jacqueline Mitchell Craig and Georgina Battle's request to make an alteration to a non-conforming use / non-conforming building in a Multi-Family Residential District (R-3) at 1809 Caddo Street. All interested parties may be heard at said time and place or may notify the Board of Zoning Adjustment by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street, Suite 121 Arkadelphia, Arkansas. Dated this 22nd day of July 2021. By: Samantha Roybal, City Clerk.

Please feel free to call the Building Department for additional information.

Sincerely,

DeAnna Graves
Building Department Manager
Enc. (2)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary Jones
c/o Paul Hale
1802 Caddo Street
Arkadelphia, AR 71923



9590 9402 5341 9154 5649 84

2. Article Number (Transfer from service label)

7020 0640 0001 3511 2703

PS Form 3811, July 2015 PSN 7530-02-000-9053

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$7.00

Sent To

Mary Jones c/o Paul Hale

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Arkadelphia AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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1. Article Addressed to:

Lucille Coleman
David Coleman
c/o Annie S Perry
201 S Clark Street
Arkadelphia, AR 71923



9590 9402 5341 9154 5649 08

2. Article Number (Transfer from service label)

7020 0640 0001 3511 2710

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Total Postage and Fees \$7.00

Sent To

Lucille & David Coleman c/o Annie Perry

Street and Apt. No., or PO Box No.

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Total Postage and Fees \$7.00

Sent To

Geraldine & Jeffery Luster

Street and Apt. No., or PO Box No.

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7020 0640 0001 3511 2673

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Arkadelphia, AR 71923

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☐ Return Receipt (electronic) \$0.00
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☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.55
Total Postage and Fees \$7.00

0924 05
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07/26/2021

Sent To Loria & Geraldine Borim
Street and Apt. No., or P.O. Box No. 715 Mill Creek Rd
City, State, ZIP+4® Arkadelphia Ar 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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■ Print your name and address on the reverse so that we can return the card to you.
■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joseph Buckley
c/o Shirley Buckley Lester
195 Barrington Road
Bloomfield Hills, MI 48302

2. Article Number (Transfer from service label)
7020 0640 0001 3511 2758

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETION
A. Signed by Addressee ☒
B. Restricted Delivery ☒
C. Is delivery attempted if no one is available? ☒
D. Is delivery attempted if no one is available? ☒
3. Service ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail ☐ Insured Mail (over \$500)

7020 0640 0001 3511 2758

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Bloomfield Hills, MI 48302

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.55
Total Postage and Fees \$7.00

0924 05
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07/26/2021

Sent To Joseph Buckley c/o Shirley Buckley Lester
Street and Apt. No., or P.O. Box No. 195 Barrington Rd
City, State, ZIP+4® Bloomfield Hills, MI 48302

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Domestic Return Receipt

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Las Vegas, NV 89156

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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.55
Total Postage and Fees \$7.00

0924 05
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07/26/2021

Sent To Marilyn Allen & Margaret Pashal
Street and Apt. No., or P.O. Box No. 6201 E Lake Mead Blvd Apt 263
City, State, ZIP+4® Las Vegas, NV 89156

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Arkadelphia AR 71923

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Extra Services & Fees (check box, add fee as appropriate)	\$2.95
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$2.95
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$7.00

0924
05

Postmark
Here

07/26/2021

Sent To	Raza Properties
Street and Apt. No., or PO Box No.	1 Harvest Ridge Rd
City, State, ZIP+4 [®]	Arkadelphia AR 71923




Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 77923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

Date: August 4, 2021

To: Planning Commissioners

Cc: Gary Brinkley, City Manager; City Board of Directors; and Ed McCorkle, City Attorney

From: DeAnna Graves, Building Department Manager 

Re: Ouachita Properties Development Company, LLC's Request to Rezone Property from Multi-Family Residential District (R-3) to Educational District (E-1).

Ouachita Properties Development Company, LLC is requesting to rezone property they own from Multi-Family Residential District (R-3) to Educational District (E-1).

A parcel of land generally described as being 346 N 10th Street, Arkadelphia, Arkansas and more accurately described as follows:

A parcel of land being a part of Lots 16 and 21 of Hardy & Barkman's Addition and being described as follows: Commence at the Southwest corner of Lot 16; Thence North 00°19'48" more or less along the eastern line of Tenth Street, a distance of 97.00 Feet to the POB, Thence continue along said Tenth Street North 00°24'31" West, a distance of 153.03 feet to a point being located 17.4 feet South of the centerline of McNutt Street, Thence South 89°53'04" East, parallel with McNutt Street, A distance of 90.00 feet to a found chiseled mark in the sidewalk; Then South 00°23'25" East, a distance of 151.72 feet to a found 3/8" rebar; Thence South 89°16'49" West, a distance of 90.00 feet to the POB.

Ouachita Properties Development Company, LLC wishes to rezone this property to Educational District (E-1) to meet their higher educational needs by utilizing the property as an Engineering Physics Laboratory and Workshop.

- Staff has reviewed the rezone request and believes that it will not negatively affect surrounding land uses.
- A legal notice was published once in the Southern Standard on July 22, 2021 as required.
- Property owners within 200 feet were notified of the hearing, date and subject matter of the hearing.

Guidelines on Evaluating Rezoning Property

1. Is the rezoning consistent with the comprehensive/land use plan?
2. Is the proposed rezoning compatible with the surrounding area and zone?
3. Would all of the allowed uses in the new zone be compatible in this location?
4. Would the rezoning provide benefit to one land owner and not shared by the whole neighborhood

Based on the questions listed above, Staff recommends the rezoning of this property and suggests forwarding a recommendation to consider approving the rezoning ordinance to the City Board of Directors.

CITY OF ARKADELPHIA
PETITION FOR A REZONING

TO THE ARKADELPHIA PLANNING COMMISSION:

Application is hereby made to the City Planning Commission, pursuant to the Arkansas Law on city planning, Act 186 of 1957, Acts of Arkansas, as amended, and the Arkadelphia Zoning Ordinance No. B-425 as amended, petitioning for a rezoning of the following described area:

Please attach legal description: A parcel of land being a part of Lots 16 and 21 of Hardy & Barkman's Addition and being described as follows: Commence at the Southwest corner of Lot 16; Thence North 00°19'48" more or less along the eastern line of Tenth Street, a distance of 97.00 Feet to the POB, Thence continue along said Tenth Street North 00°24'31" West, a distance of 153.03 feet to a point being located 17.4 feet South of the centerline of McNutt Street, Thence South 89°53'04" East, parallel with McNutt Street, A distance of 90.00 feet to a found chiseled mark in the sidewalk; Then South 00°23'25" East, a distance of 151.72 feet to a found 3/8" rebar; Thence South 89°16'49" West, a distance of 90.00 feet to the POB.

1. Street address or approximation thereof: 346 N 10th Street Arkadelphia, Arkansas 71923

2. Title to this Property is vested in: Ouachita Properties Development Company, LLC

Address: 410 Ouachita Arkadelphia, Arkansas 71923

3. It is desired that the zoning district boundaries shown on the official Zoning Districts Map be amended and that the area described above be reclassified from the present Multi-Family Residential District (R-3) Zone to Educational District (E-1) Zone.

5. Present use of property: Vacant Building (was being utilized as a Church)

6. Desired use of property: Educational – Physics Laboratory

7. Are there any deed restrictions pertaining to the use of this property? Yes _____ No X

Please describe any restrictions:

8. A statement and diagram explaining why the proposed changes will not conflict with surrounding land uses is enclosed as a part of this petition.

9. A map of the subject property is attached herewith and the map shows

- (1) The approximate dimensions of each property line and any adjoining rights-of-way
- (2) The approximate outline location of any buildings on subject property and adjacent properties
- (3) Land uses and owner's names for all lands within 200 feet of the boundaries of the subject property.

10. The application fee of one hundred dollars (\$100.00) has been paid to the City of Arkadelphia.

11. It is understood that Notice of Public Hearing before the Arkadelphia Planning Commission will be Published at least 15 days prior to said hearing in a newspaper of general circulation in the city, and that notice of said hearing must be circulated by the applicant, by certified mail return-receipt restricted delivery, to all other parties in interest, including all owners of land within 200 feet of the boundary of the proposed rezoning.

12. If subject property is rezoned, it is understood by petitioner that unless construction has commenced for the proposed use within one year of rezoning, then said property would revert to the zoning in effect before filing of this petition.
13. If petition is disapproved, then the petitioner may appeal such disapproval provided that he/she states specifically in writing to the City Clerk why he/she considers the Planning Commission's findings to be in error. Such appeal shall be filed with the City Clerk within fifteen (15) days of receipt of notice of the Planning Commission's action.
14. Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief it is true, correct, and complete.

PETITIONER: Jason Tolbert, Reg. Agent. ^{Onachita Properties Development Company LLC}
ADDRESS: 410 Onachita St, Arkadelphia AR 71998
TELEPHONE: 870 245 5410

(Note: Use additional sheets if above spaces are inadequate.)
(Do not write below this line)

City of Arkadelphia

Application fee paid (yes) yes (no) _____

Date: 7/19/2021

Filing date: 7/19/2021

Are all 14 points of application in order? _____

Is the property platted on a plat of record with the Circuit Clerk? Yes

Book No 2019 Page No 02295

Do the existing street rights-of-way, at least meet the minimum requirements as presented in the Comprehensive Development Plan? Yes

Explain _____

Time and date of public hearing: 5:30 p.m. August 12, 2021

Notice published (newspaper and date) The Southern Standard July 22, 2021

Copy attached? _____

Petition recommended for approval by Planning Commission? _____

Date _____ Subject to: _____

Petition disapproved by Planning Commission? Date: _____

Reasons: _____

Has the reason for disapproval been given to the petitioner? _____

Date and name: _____

Planning Commission's approval certified to Board of Directors? _____ Date: _____

Did the Board of Directors approve the zoning amendment? _____ Date: _____

Subject to: _____

Copy of Ordinance attached _____

Has the reproducible copy of the Zoning Districts Map been amended? _____ Date: _____

Did the Board of Directors disapprove the zoning amendment? _____ Date: _____

Reasons: _____

Signed by: _____

Date: _____



July 19, 2021

To Whom It May Concern:

Ouachita Baptist University requests the rezoning of the property shown in the diagram below in purple from Multi-Family Residential District (R-3) to Educational District (E-1). The property address is 346 N. 10th Street, Arkadelphia, AR. It was formerly used as a church.

The purpose of the rezoning request is so that the property may be used to support the educational functions of the university. Its near-term use is planned as laboratory and workshop space for Ouachita's engineering physics academic program. We believe this will not conflict with surrounding land uses; the property is adjacent to Henderson State University with similar educational uses.

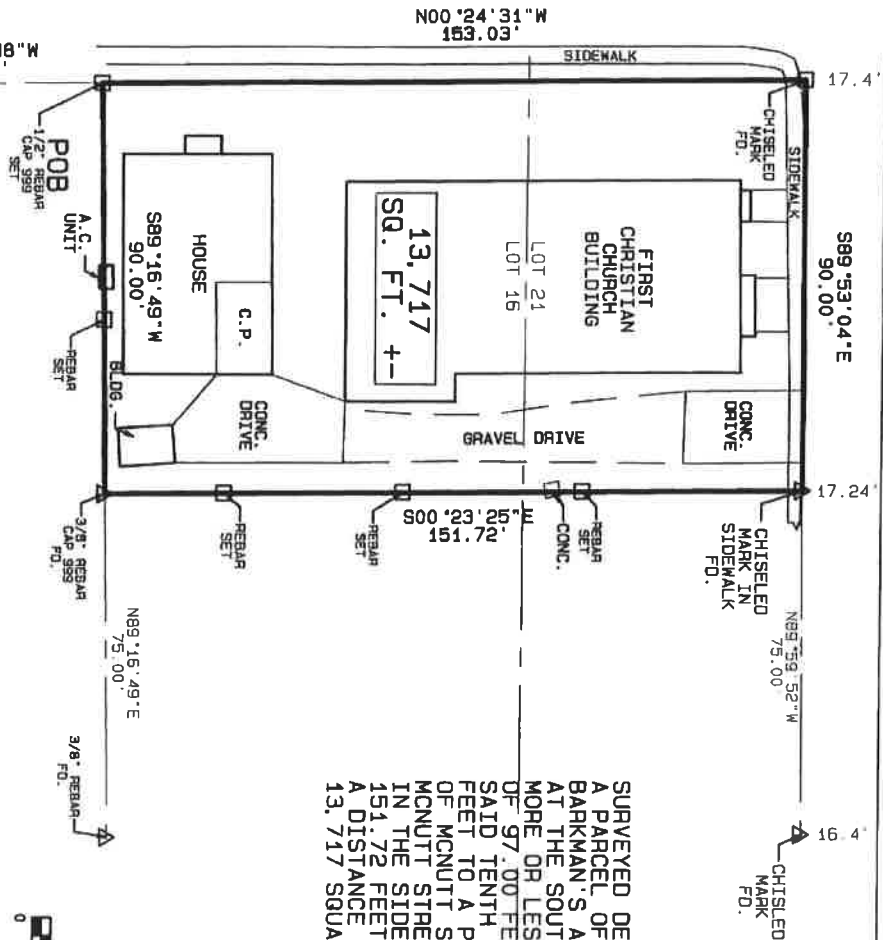
Existing city streets and other infrastructure are adequate to ensure no conflict with surrounding land uses.

Respectfully,

Keldon Henley
Vice President for Advancement and Chief of Staff



CENTERLINE MCNUTT STREET
NO PLATTED R/W



SURVEYED DESCRIPTION:
A PARCEL OF LAND BEING A PART OF LOTS 16 AND 21 OF HARDY & BARKMAN'S ADDITION, AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 16; THENCE NORTH 00°19'48" WEST, MORE OR LESS ALONG THE EASTERN LINE OF TENTH STREET, A DISTANCE OF 97.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID TENTH STREET NORTH 00°24'31" WEST, A DISTANCE OF 153.03 FEET TO A POINT BEING LOCATED 17.4 FEET SOUTH OF THE CENTERLINE OF MCNUTT STREET; THENCE SOUTH 89°53'04" EAST, PARALLEL WITH MCNUTT STREET, A DISTANCE OF 90.00 FEET TO A FOUND CHISELED MARK IN THE SIDEWALK; THENCE SOUTH 00°23'25" EAST, A DISTANCE OF 151.72 FEET TO A FOUND 3/8" REBAR; THENCE SOUTH 89°16'49" WEST, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING. CONTAINING 13,717 SQUARE FEET, MORE OR LESS.



MONUMENT FOUND
MONUMENT FOUND AT
SCALE: 1" = 40 FT.
FILE NAME: 08U19 LOTS 16 AND 21

I, MICHAEL S. WILEY DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON ACCURATELY REPRESENTS THE SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT THE DIMENSIONS AND BEARINGS SHOWN THEREON ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION. THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE CLIENT OR CLIENTS NAMED HEREON AND DOES NOT TRANSFER TO OTHER PARTIES.

PROPERTY SURVEY FOR	
QUACHITA BAPTIST UNIVERSITY	
PT. LOTS 16 & 21, HARDY & BARKMAN'S ADDN.	
ARKADELPHIA, ARKANSAS	
DATE: 8/2/2019	SCALE: 1 in. = 40 ft.
QUACHITA-SALINE SURVEYING INC.	
309 CRITTENDEN STREET	
ARKADELPHIA, ARKANSAS 71923	
PH: 870-246-2054 OR 501-623-6548	

Current Zoning: 346 N 10th Street



Current Zoning: 346 N 10th Street

Henderson

E-1

10th

McNutt

R-3

42

0 30 60 120 Feet

9th

Proposed Zoning: 346 N 10th Street



Proposed Zoning: 346 N 10th Street

Henderson

E-1

10th

McNutt

R-3

9th

North

0 30 60 120 Feet

PETITION FOR A REZONING NO. 40

Owner: Ouachita Properties Development Company, LLC

Property generally known as 346 N 10th Street and more specifically described as a part of Lot 16 & 21 in Hardy and Barkman Survey

Item 9. (3) Land uses and owners' names for all lands within 200 feet of the boundaries of the subject property

Property Address	Land Use	Owner's Name	Owner's Address
915 McNutt Street	Single Family	Stephen T Jones	915 McNutt Street Arkadelphia, AR 71923
817 McNutt Street Parcel # 01200-000	Single Family	Jeff R Coventry Debra A Coventry	817 McNutt Arkadelphia, AR 71923
342 N 10 th Street	Single Family	Eduard Valdez Joy Valdez	342 N 10 th Street Arkadelphia, AR 71923
334 & 336 N 10 th Street	Two Family	Kenneth M Bratton Margie L Bratton	113 Pinnacle Drive Arkadelphia, AR 71923
Parcel 74-01210-000 Parcel 74-01216-000 Parcel 74-01207-000 Parcel 74-01206-000 Parcel 74-01170-000	Educational Educational Guest House Educational Educational	Henderson State University	1100 Henderson Street Arkadelphia, AR 71923



Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 77923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

Dear Property Owner:

Ouachita Properties Development Company, LLC has submitted a petition to the Planning Commission to rezone property they own at 346 N 10th Street from Multi-Family Residential District (R-3) to Educational District (E-1).

A zoning map and rezoning map are included to illustrate the existing zoning and the proposed rezoning. The area proposed to be rezoned to E-1 Educational District is outlined in green as indicated on the map.

The legal description for the area to be rezoned, is as follows:

A parcel of land generally described as being 346 N 10th Street, Arkadelphia, Arkansas and more accurately described as follows:

A parcel of land being a part of Lots 16 and 21 of Hardy & Barkman's Addition and being described as follows: Commence at the Southwest corner of Lot 16; Thence North 00°19'48" more or less along the eastern line of Tenth Street, a distance of 97.00 Feet to the POB, Thence continue along said Tenth Street North 00°24'31" West, a distance of 153.03 feet to a point being located 17.4 feet South of the centerline of McNutt Street, Thence South 89°53'04" East, parallel with McNutt Street, A distance of 90.00 feet to a found chiseled mark in the sidewalk; Then South 00°23'25" East, a distance of 151.72 feet to a found 3/8" rebar; Thence South 89°16'49" West, a distance of 90.00 feet to the POB.

The City's Land Use ordinance requires that the petitioner notify all property owners, within 200 feet of the land to be rezoned, of the hearing, the date and the subject matter of the hearing. The notice shall be sent certified mail, return receipt, and addressee only. In addition, a notice of the public hearing shall be published in a newspaper of general circulation in the City at least one time fifteen days prior to the hearing.

Notice is hereby given that the Planning Commission will hold a public hearing on August 12, 2021, at 5:30 p.m. in the Town Hall Boardroom at 700 Clay Street, Arkadelphia, Arkansas, to consider rezoning from Multi-Family Residential District (R-3) to Educational District (E-1). All interested parties may be heard at said time and place or may notify the Planning Commission by letter of their views on this matter. The file, including a map of the area, is available for inspection in the Building Department Office at 700 Clay Street, Suite 121, Arkadelphia, Arkansas. Dated this 19th day of July 2021, by: Samantha Roybal, City Clerk.

Respectfully,

A handwritten signature in black ink that reads 'DeAnna Graves'.

DeAnna Graves
Building Department Manager

Enc. (2) Current Zoning Map
Proposed Rezoning Map

7020 0640 0001 3511 2659

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☒ Return Receipt (hardcopy) \$ 2.00
☐ Return Receipt (electronic) \$ 0.00
☒ Certified Mail Restricted Delivery \$ 9.00
☐ Adult Signature Required \$ 0.00
☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$ 55 \$0.55Total Postage and Fees \$ 12.55 \$12.55

Sent To Stephen T. Jones

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Arkadelphia AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-3047

See Reverse for Instructions

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07/27/2021

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeff R Coventry
 Debra A Coventry
 817 McNutt Street
 Arkadelphia, AR 71923



9590 9402 5341 9154 5649 39

2. Article Number (Transfer from service label)

7020 0640 0001 3511 2666

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE

A. Signature

B. Received

C. Delivered

D. Is delivered

If YES, enter date

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature
- ☐ Certified Mail
- ☐ Certified Mail
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- ☐ Collect on Delivery
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- ☐ Insured Mail Re
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☒ Certified Mail Restricted Delivery \$ 9.00
☐ Adult Signature Required \$ 0.00
☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$ 55 \$0.55Total Postage and Fees \$ 12.55 \$12.55

Sent To Jeff + Debra Coventry

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Arkadelphia AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Eduard Valdez
 Joy Valdez
 342 N 10th Street
 Arkadelphia, AR 71923



9590 9402 5341 9154 5650 04

2. Article Number (Transfer from service label)

7020 0640 0001 3511 2734

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE

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B. Received

C. Delivered

D. Is delivered

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- ☐ Adult Signature
- ☐ Certified Mail
- ☐ Certified Mail
- ☐ Collect on Delivery
- ☐ Collect on Delivery
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- (over \$500)

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☒ Certified Mail Restricted Delivery \$ 9.00
☐ Adult Signature Required \$ 0.00
☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$ 55 \$0.55Total Postage and Fees \$ 12.55 \$12.55

Sent To Eduard + Joy Valdez

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

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 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kenneth M Bratton
 Margie L Bratton
 113 Pinnacle Drive
 Arkadelphia, AR 71923

9590 9402 5341 9154 5649 53

2. Article Number (Transfer from service label)
 7020 0640 0001 3511 2727

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☐ Return Receipt (electronic) \$ 0.00

☒ Certified Mail Restricted Delivery \$ 0.00

☐ Adult Signature Required \$ 0.00

☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$.55 \$0.55

Total Postage and Fees \$ 12.55 \$12.55

Sent To Kenneth M Margie Bratton

Street and Apt. No., or PO Box No. 113 Pinnacle Dr

City, State, ZIP+4® Arkadelphia AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Arkadelphia, AR 71999

0924 05

Postmark Here

07/27/2021

Certified Mail Fee \$ 3.60

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$ 2.85

☐ Return Receipt (electronic) \$ 0.00

☒ Certified Mail Restricted Delivery \$ 0.00

☐ Adult Signature Required \$ 0.00

☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$.55 \$0.55

Total Postage and Fees \$ 7.00 \$7.00

Sent To Henderson State University

Street and Apt. No., or PO Box No. 1140 Henderson

City, State, ZIP+4® Arkadelphia AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

***BUILDING DEPARTMENT STAFF REPORT**

August 4, 2021

DEVELOPMENT IN PROCESS:

- 1 SFD addition at 2327 Clinton Street. – Needs to obtain permits for electrical, plumbing and HVAC
- Brookshire's remodel – Final inspection walk-thru scheduled for Monday, Aug. 9, 2021.
- Entergy Service Center 2803 Pine Street – Work is in process
- The Salt and Grain Meat market at 1318 Pine Street waiting on meat cooler
- Big Red Convenience Store at 3005 Pine Street – projected finish date mid-September
- Dairy Queen 3005 Pine Street – a month or two behind Big Red finishing
- Walmart – interior remodel and expansion in process – Pharmacy is complete.
- OBU Softball Complex Improvements – Foundation is poured
- OBU Pavilion and Observation Tower – waiting on plans and approval
- OBU parking lot – waiting on drainage plan and construction plans to approve
- So far 9 of the 18 demolitions are complete.
- Tate Temple COGIC — footings done and blocks being laid
- Regions Bank – Replacing roof, carpet and painting starting Aug 9, 2021

FUTURE PROJECTS

- Walnut Corner Addition lot – received drainage system design – awaiting construction plans.
- CenterPoint to move gas lines for the expansion of Pine Street.
- Rezoning of property at the corner of 25th and Haddock